IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CLEAR WITH COMPUTERS, LLC v. BASSETT FURNITURE INDUSTRIES, INC.; BELL HELICOPTER TEXTRON INC.; THE BOEING COMPANY; BOSTON WHALER, INC; BROYHILL FURNITURE INDUSTRIES, INC.; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CABELA'S, INC.; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GENERAL DYNAMICS CORP.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HASBRO, INC.; HERMAN MILLER, INC.; HSN, INC.; HSN INTERACTIVE LLC; J. JILL GROUP, INC.; OTIS ELEVATOR CO.; PITNEY BOWES, INC.; POLARIS INDUSTRIES, INC.; POLO RALPH LAUREN CORPORATION; PRATT & WHITNEY POWER SYSTEMS, INC.; PRATT & WHITNEY ROCKETDYNE, INC.; QVC, INC.; RALPH LAUREN MEDIA, LLC; ROLEX SA; ROLEX WATCH USA INC.; SEA RAY BOATS, INC.; SEIKO EPSON CORP.; SIKORSKY AIRCRAFT CORP.; SUB-ZERO, INC.;	Civil Action No.

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THE TALBOTS, INC.;
TEXTRON, INC.;
TOMMY HILFIGER U.S.A., INC.;
TOMMY HILFIGER LICENSING, LLC;
UNITED TECHNOLOGIES CORP.;
UTC FIRE & SECURITY CORPORATION;
UTC POWER CORP.;
UTC POWER, LLC; AND
WOLF APPLIANCE, INC.

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Clear with Computers, LLC makes the following allegations against BASSETT FURNITURE INDUSTRIES, INC.; BELL HELICOPTER TEXTRON INC.; THE BOEING COMPANY; BOSTON WHALER, INC; BROYHILL FURNITURE INDUSTRIES, INC.; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CABELA'S, INC.; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GENERAL DYNAMICS CORP.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HASBRO, INC.; HERMAN MILLER, INC.; HSN, INC.; HSN INTERACTIVE LLC; J. JILL GROUP, INC.; OTIS ELEVATOR CO.; PITNEY BOWES, INC.; POLARIS INDUSTRIES, INC.; POLO RALPH LAUREN CORPORATION; PRATT & WHITNEY POWER SYSTEMS, INC.; PRATT & WHITNEY ROCKETDYNE, INC.; QVC, INC.; RALPH LAUREN MEDIA, LLC; ROLEX SA; ROLEX WATCH USA INC.; SEA RAY BOATS, INC.; SEIKO EPSON CORP.; SIKORSKY AIRCRAFT CORP.; SUB-ZERO, INC.; THE TALBOTS, INC.; TEXTRON, INC.; TOMMY HILFIGER U.S.A., INC.; TOMMY HILFIGER LICENSING, LLC; UNITED TECHNOLOGIES CORP.; UTC FIRE & SECURITY

CORPORATION; UTC POWER CORP.; UTC POWER, LLC; AND WOLF APPLIANCE, INC. (collectively the "Defendants").

PARTIES

1. Plaintiff Clear With Computers, LLC ("CWC") is a Texas limited liability company with its principal place of business at 207 C North Washington Avenue, Marshall, Texas 75670. CWC was formerly known as Orion IP, LLC.

2. On information and belief, Defendant BASSETT FURNITURE INDUSTRIES, INC. ("BASSETT") is a Virginia corporation with its principal place of business at 3525 Fairystone Park Highway, Bassett, VA 24055. BASSETT has appointed Jay R. Hervey, P.O. Box 626 Bassett, VA 24055-0626 as its agent for service of process.

3. On information and belief, Defendant BELL HELICOPTER TEXTRON INC. ("BELL") is a Delaware corporation with its principal place of business at 40 Westminster Street, Providence, RI 02903-2525. BELL has appointed Timothy John Harrington, 600 E. Hurst Blvd, Hurst, TX 76053-8030 as its agent for service of process.

4. On information and belief, Defendant THE BOEING COMPANY ("BOEING") is a Delaware corporation with its principal place of business at 100 N. Riverside Plaza, Chicago, IL 60606-1501. BOEING has appointed Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, TX 78701-3232 as its agent for service of process.

5. On information and belief, Defendant BOSTON WHALER, INC. ("WHALER") is a Delaware corporation with its principal place of business at 100 Whaler Way, Edgewater, FL 32141. WHALER has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

6. On information and belief, Defendant BROYHILL FURNITURE INDUSTRIES, INC. ("BROYHILL") is a North Carolina corporation with its principal place of business at 101 S. Hanley, 19th Floor Tax, Saint Louis, MO 63015. BROYHILL has appointed The Prentice-Hall Corp., 701 Brazos Street, Suite 1050, Austin, TX 78701-3232 as its agent for service of process.

7. On information and belief, Defendant BRUNSWICK CORPORATION ("BRUNSWICK") is a Delaware corporation with its principal place of business at 1 North Field Court, Lake Forest, IL 60045. BRUNSWICK has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

8. On information and belief, Defendant BRUNSWICK INTERNATIONAL LIMITED ("BRUNSWICK INTERNATIONAL") is a Delaware corporation with its principal place of business at 1 North Field Court, Lake Forest, IL 60045. BRUNSWICK INTERNATIONAL has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

9. On information and belief, Defendant CABELA'S, INC. ("CABELA'S") is a Nebraska corporation with its principal place of business at 1 Cabela Drive, Sidney, NE 69160-1001. CABELA'S has appointed Reed Gilmore, 1 Cabela Drive, Sidney, NE 69160-1001 as its agent for service of process.

10. On information and belief, Defendant CARRIER CORPORATION ("CARRIER") is a Delaware corporation with its principal place of business at One Carrier Place, Farmington, CT 06034-4015. Carrier has appointed The Corporation Trust Company,

Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

11. On information and belief, Defendant CRUTCHFIELD CORP. ("CRUTCHFIELD") is a Virginia corporation with its principal place of business at 1 Crutchfield Park, Charlottesville, VA 22911-9097. CRUTCHFIELD has appointed William G. Crutchfield, 1 Crutchfield Park, Charlottesville, VA 22911 as its agent for service of process.

12. On information and belief, Defendant CRUTCHFIELD NEW MEDIA, LLC ("CRUTCHFIELD MEDIA") is a Virginia corporation with its principal place of business at 1 Crutchfield Park, Charlottesville, VA 22911-9097. CRUTCHFIELD MEDIA has appointed William G. Crutchfield, 1 Crutchfield Park, Charlottesville, VA 22911 as its agent for service of process.

13. On information and belief, Defendant DACOR HOLDINGS, INC. ("DACOR HOLDINGS") is a California corporation with its principal place of business at 1440 Bridgegate Drive, 2nd Floor, Diamond Bar, CA 91765-3932. DACOR HOLDINGS has appointed Robert C. Norton, 444 S. Flower Street, Suite 1700, Los Angeles, CA 90071-2918 as its agent for service of process.

14. On information and belief, Defendant DACOR, INC. ("DACOR") is a California corporation with its principal place of business at 1440 Bridgegate Drive, 2nd Floor, Diamond Bar, CA 91765-3932. DACOR has appointed Robert C. Norton, 444 S. Flower Street, Suite 1700, Los Angeles, CA 90071-2918 as its agent for service of process.

15. On information and belief, Defendant EBAY, INC. ("EBAY") is a Delaware corporation with its principal place of business at 2145 Hamilton Avenue, San Jose, CA 95125-

5905. EBAY has appointed National Registered Agents, Inc., 1821 Logan Avenue, Cheyenne, WY 82001-5007 as its agent for service of process.

16. On information and belief, Defendant EPSON AMERICA, INC. ("EPSON") is a California corporation with its principal place of business at 3840 Kilroy Airport Way, Long Beach, CA 90806-2452. EPSON has appointed CT Corporation System, 818 W. 7th Street, Los Angeles, CA 90017-3407 as its agent for service of process.

17. On information and belief, Defendant GENERAL DYNAMICS CORP. ("GENERAL DYNAMICS") is a Delaware corporation with its principal place of business at 2941 Fairview Park Drive, Falls Church, VA 22042-4522. GENERAL DYNAMICS has appointed CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201-4240 as its agent for service of process.

18. On information and belief, Defendant GSI COMMERCE, INC. ("GSI") is a Delaware corporation with its principal place of business at 935First Avenue, King of Prussia, PA 19406. GSI has appointed The Prentice Hall Corporation System, Inc., 2711 Centerville Rd, Suite 400, Wilmington, DE 19808 as its agent for service of process.

19. On information and belief, Defendant HALLIBURTON COMPANY ("HALLIBURTON") is a Delaware corporation with its principal place of business at P.O. Box 42806, Houston, TX 77242-2806. HALLIBURTON has appointed CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201-4240 as its agent for service of process.

20. On information and belief, Defendant HALLIBURTON ENERGY SERVICES, INC. ("HALLIBURTON ENERGY") is a Delaware corporation with its principal place of business at P.O. Box 42806, Houston, TX 77242-2806. HALLIBURTON ENERGY has

appointed CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201-4240 as its agent for service of process.

21. On information and belief, Defendant HASBRO, INC. (“HASBRO”) is a Rhode Island corporation with its principal place of business at 200 Narragansett Park Drive C-918, Pawtucket, RI 02861-4338. HASBRO has appointed CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201-4240 as its agent for service of process.

22. On information and belief, Defendant HERMAN MILLER, INC. “(HERMAN”) is a Michigan corporation with its principal place of business at 855 E. Main Avenue, Zeeland, MI 49464-1366. HERMAN has appointed National Registered Agents, Inc., 16055 Space Center Blvd., Suite 235, Houston, TX 77062-6212 as its agent for service of process.

23. On information and belief, Defendant HSN, INC. (“HSN”) is a Delaware corporation with its principal place of business at 1 HSN Dr. St. Petersburg, FL 33729. HSN has appointed National Registered Agents, Inc., 160 Greentree Dr., Suite 101, Dover, DE 19904 as its agent for service of process.

24. On information and belief, Defendant HSN Interactive LLC (“HSN Interactive”) is a Delaware corporation with its principal place of business at 1 HSN Dr. St. Petersburg, FL 33729. HSN Interactive has appointed National Registered Agents, Inc., 160 Greentree Dr., Suite 101, Dover, DE 19904 as its agent for service of process.

25. On information and belief, Defendant J. JILL GROUP, INC. (“J. JILL”) is a Delaware corporation with its principal place of business at 4 Batterymarch Pk., Quincy, MA 02169. J. JILL has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

26. On information and belief, Defendant OTIS ELEVATOR CO. ("OTIS") is a New Jersey corporation with its principal place of business at 10 Farm Springs Road, Farmington, CT 06032. OTIS has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

27. On information and belief, Defendant PITNEY BOWES, INC. ("PITNEY") is a Delaware corporation with its principal place of business at 1 Elmcroft Rd., Stamford, CT 06926-0700. PITNEY has appointed CT Corporation, 350 N. St. Paul Street, Dallas, TX 75201-4240 as its agent for service of process.

28. 23. On information and belief, Defendant POLARIS INDUSTRIES, INC. ("POLARIS") is a Delaware corporation with its principal place of business at 2100 Highway 55. Medina, MN 55340. POLARIS has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808 as its agent for service of process.

29. On information and belief, Defendant PRATT & WHITNEY POWER SYSTEMS, INC. ("PRATT -- POWER") is a Delaware corporation with its principal place of business at United Technologies Building, Hartford, Connecticut 06101. PRATT -- POWER has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

30. On information and belief, Defendant PRATT & WHITNEY ROCKETDYNE, INC. ("PRATT -- ROCKETDYNE") is a Delaware corporation with its principal place of business at United Technologies Building, Hartford, Connecticut 06101. PRATT -- ROCKETDYNE has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

31. On information and belief, Defendant POLO RALPH LAUREN CORPORATION ("POLO") is a Delaware corporation with its principal place of business at 9 Polito Avenue, Lyndhurst, NJ 07071-3498. POLO has appointed Corporation Service Company, 701 Brazos Street, Suite 1050, Austin, TX 78701-3232 as its agent for service of process.

32. On information and belief, Defendant QVC, Inc. ("QVC") is a Delaware corporation with its principal place of business at Goshen Corporate Park, West Chester, PA 19380. QVC has appointed Corporation Service Company, 1703 Laurel St., Columbia, SC 29201-2660 as its agent for service of process.

33. On information and belief, Defendant RALPH LAUREN MEDIA, LLC ("RALPH LAUREN") is a Delaware corporation with its principal place of business at 80 State Street, Albany, NY 12207-2543. RALPH LAUREN has appointed Corporation Service Company, 80 State Street, Albany, NY 12207-2543 as its agent for service of process.

34. On information and belief, Defendant ROLEX SA ("ROLEX") is a Swiss corporation with its principal place of business at 665 5th Ave., New York, NY 10022. ROLEX has appointed Rolex Texas Realty (Delaware) Corporation, 2641 N. Harwood St., 6th Floor, Dallas, TX 75201-1513 as its agent for service of process. Alternatively, ROLEX can be served via an officer, a managing or general agent, or any other agent authorized by appointment or by law at Rue François-Dussaud 3-5-7, 1227 Geneva, Switzerland.

35. On information and belief, Defendant ROLEX WATCH USA INC. ("ROLEX WATCH") is a New York corporation with its principal place of business at 665 5th Avenue, New York, NY 10022-5305. ROLEX WATCH has appointed Rolex Texas Realty (Delaware) Corporation, 2641 N. Harwood St., 6th Floor, Dallas, TX 75201-1513 as its agent for service of process.

36. On information and belief, Defendant SEA RAY BOATS, INC. ("SEA RAY") is a Florida corporation with its principal place of business at 2600 Sea Ray Boulevard Knoxville, TN 37914. SEA RAY has appointed CT Corporation System, 1200 South Pine Island Road, Plantation, FL 33324 as its agent for service of process.

37. On information and belief, Defendant SEIKO EPSON CORP. ("SEIKO EPSON") is a Japanese corporation with its principal place of business at 1500 Tower Bldg., 7th, Seattle, WA 98101. SEIKO EPSON has appointed CT Corporation System, 818 W. 7th Street, Los Angeles, CA 90017-3407 as its agent for service of process.

38. On information and belief, Defendant SIKORSKY AIRCRAFT CORP. ("SIKORSKY") is a Delaware corporation with its principal place of business at United Technologies Building, Hartford, Connecticut 06101. SIKORSKY has appointed The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware, 19801 as its agent for service of process.

39. On information and belief, Defendant SUB-ZERO, INC. ("SUB-ZERO") is a Wisconsin corporation with its principal place of business at 4711 Hammersley Road, Madison, WI 53711. SUB-ZERO has appointed F& L Corp., C/O Blaine R. Renfert, Esq., 150 E Gilman Street, P.O. Box 1497, Madison, WI 53701 as its agent for service of process.

40. On information and belief, Defendant THE TALBOTS, INC. ("TALBOTS") is a Delaware corporation with its principal place of business at One Talbots Drive, Hingham, MA 02043. TALBOTS has appointed CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201-4240 as its agent for service of process.

41. On information and belief, Defendant TEXTRON, INC. ("TEXTRON") is a Delaware corporation with its principal place of business at 40 Westminster Street, Providence,

RI 02903-2525. TEXTRON has appointed CT Corporation System, 1720 Carey Avenue, Cheyenne, WY 82001-4429 as its agent for service of process.

42. On information and belief, Defendant TOMMY HILFIGER U.S.A., INC. ("HILFIGER") is a Delaware corporation with its principal place of business at 200 Liberty Way, Cranbury, NJ 08512-3621. HILFIGER has appointed National Registered Agents, Inc., 16055 Space Center Blvd. Suite 235, Houston, TX 77062-6212 as its agent for service of process.

43. On information and belief, Defendant TOMMY HILFIGER LICENSING, LLC ("HILFIGER LICENSING") is a Delaware corporation with its principal place of business at 875 Avenue of the Americas, Room 501, New York, NY 10001-3507. HILFIGER LICENSING has appointed National Registered Agents, Inc. of NJ, 100 Canal Pointe Blvd., Suite 108, Princeton, NJ 08540-7063 as its agent for service of process.

44. On information and belief, Defendant UNITED TECHNOLOGIES CORP. ("UTC") is a Delaware corporation with its principal place of business at United Technologies Building, Hartford, Connecticut 06101. UTC has appointed The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware, 19801 as its agent for service of process.

45. On information and belief, Defendant UTC FIRE & SECURITY CORPORATION ("UTC FIRE") is a Delaware corporation with its principal place of business at United Technologies Building, Hartford, Connecticut 06101. UTC FIRE has appointed The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware, 19801 as its agent for service of process.

46. On information and belief, Defendant UTC POWER CORP. ("UTC POWER") is a Delaware corporation with its principal place of business at 195 Governor's Hwy. South

Windsor, CT 06074. UTC POWER has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

47. On information and belief, Defendant UTC POWER, LLC ("UTC POWER LLC") is a Delaware limited liability company with its principal place of business at 195 Governor's Hwy. South Windsor, CT 06074. UTC POWER LLC has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801 as its agent for service of process.

48. On information and belief, Defendant WOLF APPLIANCE ("WOLF") is a Wisconsin corporation with its principal place of business at 4717 Hammersly Road, Madison, WI 53711. WOLF has appointed F&L Corp., 150 E. Gilman Street, Madison, WI 53703 as its agent for service of process.

JURISDICTION AND VENUE

49. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

50. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, each Defendant has transacted business in this district, and has committed, induced and/or contributed to acts of patent infringement in this district, including via their websites noted hereinbelow.

51. On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction, including via their websites noted hereinbelow, pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly

doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 5,615,342

52. CWC is the owner by assignment of United States Patent No. 5,615,342 ("the '342 Patent") entitled "Electronic Proposal Preparation System." The '342 Patent issued on March 25, 1997. A true and correct copy of the '342 Patent is attached as Exhibit A.

53. The '342 Patent was the subject of previous Markman rulings issued by the United States District Court for the Eastern District of Texas. A copy of those Orders are attached as Exhibits B, C and D.

54. Jerome D. Johnson is listed as the inventor on the '342 Patent.

55. Upon information and belief, Defendant BASSETT has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.bassettfurniture.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the '342 Patent to the injury of CWC. Defendant BASSETT is thus liable for infringement of the '342 Patent pursuant to 35 U.S.C. § 271.

56. Upon information and belief, Defendant BELL has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '342 Patent in the State of Texas, in this judicial district, and elsewhere in the

United States by, among other things, methods practiced on various websites (including, but not limited to, www.bellhelicopter.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant BELL is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

57. Upon information and belief, Defendant BOEING has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.boeing.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant BOEING is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

58. Upon information and belief, Defendant WHALER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.whaler.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant WHALER is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

59. Upon information and belief, Defendant BROYHILL has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the

infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.broyhillfurniture.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant BROYHILL is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

60. Upon information and belief, Defendant BRUNSWICK has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.brunswick.com, www.searay.com, www.whaler.com, www.brunswickbilliards.com, www.brunswickbowling.com, http://us.home.lifefitness.com, and http://us.commercial.lifefitness.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant BRUNSWICK is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

61. Upon information and belief, Defendant BRUNSWICK INTERNATIONAL has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.brunswick.com, www.brunswickbilliards.com, and www.brunswickbowling.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more

claims of the ‘342 Patent to the injury of CWC. Defendant BRUNSWICK INTERNATIONAL is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

62. Upon information and belief, Defendant CABELA’S has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.cabelas.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant CABELA’S is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

63. Upon information and belief, Defendant CARRIER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.residential.carrier.com, www.commercial.carrier.com and www.corp.carrier.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant CARRIER is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

64. Upon information and belief, Defendant CRUTCHFIELD has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including,

but not limited to, www.crutchfield.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant CRUTCHFIELD is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

65. Upon information and belief, Defendant CRUTCHFIELD MEDIA has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.crutchfield.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant CRUTCHFIELD MEDIA is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

66. Upon information and belief, Defendant DACOR HOLDINGS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.dacor.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant DACOR HOLDINGS is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

67. Upon information and belief, Defendant DACOR has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.dacor.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant DACOR is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

68. Upon information and belief, Defendant EBAY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.ebay.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant EBAY is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

69. Upon information and belief, Defendant EPSON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.epson.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more

claims of the ‘342 Patent to the injury of CWC. Defendant EPSON is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

70. Upon information and belief, Defendant GENERAL DYNAMICS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.generaldynamics.com and www.gd.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant GENERAL DYNAMICS is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

71. Upon information and belief, Defendant GSI has been and now is infringing, including indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.palm.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant GSI is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

72. Upon information and belief, Defendant HALLIBURTON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including,

but not limited to, www.halliburton.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the '342 Patent to the injury of CWC. Defendant HALLIBURTON is thus liable for infringement of the '342 Patent pursuant to 35 U.S.C. § 271.

73. Upon information and belief, Defendant HALLIBURTON ENERGY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.halliburton.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the '342 Patent to the injury of CWC. Defendant HALLIBURTON ENERGY is thus liable for infringement of the '342 Patent pursuant to 35 U.S.C. § 271.

74. Upon information and belief, Defendant HASBRO has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the '342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.hasbro.com and www.hasbrotoyshop.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the '342 Patent to the injury of CWC. Defendant HASBRO is thus liable for infringement of the '342 Patent pursuant to 35 U.S.C. § 271.

75. Upon information and belief, Defendant HERMAN has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the

infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.hermanmiller.com and www.hm.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant HERMAN is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

76. Upon information and belief, Defendant HSN has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.hsn.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant HSN is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

77. Upon information and belief, Defendant HSN INTERACTIVE has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.hsn.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant HSN INTERACTIVE is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

78. Upon information and belief, Defendant J. JILL has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.jjill.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant J. JILL is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

79. Upon information and belief, Defendant OTIS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.otis.com and www.otisworldwide.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant OTIS is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

80. Upon information and belief, Defendant PITNEY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.pitneybowes.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or

more claims of the ‘342 Patent to the injury of CWC. Defendant PITNEY is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

81. Upon information and belief, Defendant POLARIS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.polarisindustries.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant POLARIS is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

82. Upon information and belief, Defendant POLO has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.ralphlauren.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant POLO is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

83. Upon information and belief, Defendant PRATT -- POWER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.pw.utc.com), making and using supply chain methods, sales methods,

sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant PRATT -- POWER is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

84. Upon information and belief, Defendant PRATT -- ROCKETDYNE has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.pw.utc.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant PRATT -- ROCKETDYNE is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

85. Upon information and belief, Defendant SEIKO EPSON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.epson.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant SEIKO EPSON is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

86. Upon information and belief, Defendant QVC has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the

United States by, among other things, methods practiced on various websites (including, but not limited to, www.qvc.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant QVC is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

87. Upon information and belief, Defendant RALPH LAUREN has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.ralphlauren.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant RALPH LAUREN is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

88. Upon information and belief, Defendant ROLEX has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.rolex.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant ROLEX is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

89. Upon information and belief, Defendant ROLEX WATCH has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing

to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.rolex.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant ROLEX WATCH is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

90. Upon information and belief, Defendant SEA RAY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.searay.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant SEA RAY is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

91. Upon information and belief, Defendant SIKORSKY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.sikorsky.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant SIKORSKY is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

92. Upon information and belief, Defendant SUB-ZERO has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.subzero.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant SUB-ZERO is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

93. Upon information and belief, Defendant TALBOTS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.talbots.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant TALBOTS is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

94. Upon information and belief, Defendant TEXTRON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.textron.com and www.bellhelicopter.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory

systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant TEXTRON is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

95. Upon information and belief, Defendant HILFIGER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.tommy.com and www.shoptommy.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant HILFIGER is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

96. Upon information and belief, Defendant HILFIGER LICENSING has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.tommy.com and www.shoptommy.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant HILFIGER LICENSING is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

97. Upon information and belief, Defendant UTC has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not

limited to, www.utc.com, www.utcfireandsecurity.com, www.kidde-fire.com, www.energyreinvented.com and www.pw.utc.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant UTC is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

98. Upon information and belief, Defendant UTC FIRE has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.utcfireandsecurity.com and www.kidde-fire.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant UTC FIRE is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

99. Upon information and belief, Defendant UTC POWER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.utcpower.com and www.energyreinvented.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant UTC POWER is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

100. Upon information and belief, Defendant UTC POWER LLC has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.utcpower.com and www.energyreinvented.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant UTC POWER LLC is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

101. Upon information and belief, Defendant WOLF has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘342 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.wolfappliance.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘342 Patent to the injury of CWC. Defendant WOLF is thus liable for infringement of the ‘342 Patent pursuant to 35 U.S.C. § 271.

COUNT II

INFRINGEMENT OF U.S. PATENT NO. 5,367,627

102. CWC is the owner by assignment of United States Patent No. 5,367,627 (“the ‘627 Patent”) entitled “Computer-Assisted Parts Sales Method.” The ‘627 Patent issued on November 22, 1994. A true and correct copy of the ‘627 Patent is attached as Exhibit E.

103. The ‘627 Patent was the subject of previous Markman rulings issued by the United States District Court for the Eastern District of Texas. A copy of those Orders are attached as Exhibits B, C and D.

104. Jerome D. Johnson is listed as the inventor on the ‘627 Patent.

105. Upon information and belief, Defendant WHALER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.whaler.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant WHALER is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

106. Upon information and belief, Defendant BRUNSWICK has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.whaler.com and www.brunswickbilliards.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant BRUNSWICK is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

107. Upon information and belief, Defendant BRUNSWICK INTERNATIONAL has been and now is directly infringing, and indirectly infringing by way of inducing infringement

and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.brunswickbilliards.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant BRUNSWICK INTERNATIONAL is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

108. Upon information and belief, Defendant CARRIER has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.totaline.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant CARRIER is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

109. Upon information and belief, Defendant CRUTCHFIELD has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.crutchfield.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant CRUTCHFIELD is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

110. Upon information and belief, Defendant CRUTCHFIELD MEDIA has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.crutchfield.com) making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant CRUTCHFIELD MEDIA is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

111. Upon information and belief, Defendant DACOR HOLDINGS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.dacor.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant DACOR HOLDINGS is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

112. Upon information and belief, Defendant DACOR has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.dacor.com), making and using supply chain methods, sales methods, sales

systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant DACOR is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

113. Upon information and belief, Defendant EBAY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.ebay.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant EBAY is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

114. Upon information and belief, Defendant EPSON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.epson.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant EPSON is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

115. Upon information and belief, Defendant GSI has been and now is infringing, including indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not

limited to, www.palm.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant GSI is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

116. Upon information and belief, Defendant HALLIBURTON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.halliburton.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant HALLIBURTON is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

117. Upon information and belief, Defendant HALLIBURTON ENERGY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.halliburton.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant HALLIBURTON ENERGY is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

118. Upon information and belief, Defendant HSN has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the

infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.hsn.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant HSN is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

119. Upon information and belief, Defendant HSN Interactive has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.hsn.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant HSN Interactive is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

120. Upon information and belief, Defendant PITNEY has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.pitneybowes.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant PITNEY is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

121. Upon information and belief, Defendant POLARIS has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.polarisindustries.com and parts.polarisind.com, making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant POLARIS is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

122. Upon information and belief, Defendant QVC has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.qvc.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ‘627 Patent to the injury of CWC. Defendant QVC is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

123. Upon information and belief, Defendant SEIKO EPSON has been and now is directly infringing, and indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘627 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, methods practiced on various websites (including, but not limited to, www.epson.com), making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or

more claims of the ‘627 Patent to the injury of CWC. Defendant SEIKO EPSON is thus liable for infringement of the ‘627 Patent pursuant to 35 U.S.C. § 271.

PRAYER FOR RELIEF

WHEREFORE, CWC respectfully requests that this Court enter:

1. A judgment in favor of CWC that Defendants BASSETT FURNITURE INDUSTRIES, INC.; BELL HELICOPTER TEXTRON INC.; THE BOEING COMPANY; BOSTON WHALER, INC; BROYHILL FURNITURE INDUSTRIES, INC.; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CABELA'S, INC.; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GENERAL DYNAMICS CORP.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HASBRO, INC.; HERMAN MILLER, INC.; HSN, INC.; HSN INTERACTIVE LLC; J. JILL GROUP, INC.; OTIS ELEVATOR CO.; PITNEY BOWES, INC.; POLARIS INDUSTRIES, INC.; POLO RALPH LAUREN CORPORATION; PRATT & WHITNEY POWER SYSTEMS, INC.; PRATT & WHITNEY ROCKETDYNE, INC.; QVC, INC.; RALPH LAUREN MEDIA, LLC; ROLEX SA; ROLEX WATCH USA INC.; SEA RAY BOATS, INC.; SEIKO EPSON CORP.; SIKORSKY AIRCRAFT CORP.; SUB-ZERO, INC.; THE TALBOTS, INC.; TEXTRON, INC.; TOMMY HILFIGER U.S.A., INC.; TOMMY HILFIGER LICENSING, LLC; UNITED TECHNOLOGIES CORP.; UTC FIRE & SECURITY CORPORATION; UTC POWER CORP.; UTC POWER, LLC; AND WOLF APPLIANCE, INC. have infringed, directly, jointly, and/or indirectly, by way of inducing and/or contributing to the infringement of the ‘342 Patent, and that such infringement was willful;

2. A permanent injunction enjoining Defendants BASSETT FURNITURE INDUSTRIES, INC.; BELL HELICOPTER TEXTRON INC.; THE BOEING COMPANY; BOSTON WHALER, INC; BROYHILL FURNITURE INDUSTRIES, INC.; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CABELA'S, INC.; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GENERAL DYNAMICS CORP.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HASBRO, INC.; HERMAN MILLER, INC.; HSN, INC.; HSN INTERACTIVE LLC; J. JILL GROUP, INC.; OTIS ELEVATOR CO.; PITNEY BOWES, INC.; POLARIS INDUSTRIES, INC.; POLO RALPH LAUREN CORPORATION; PRATT & WHITNEY POWER SYSTEMS, INC.; PRATT & WHITNEY ROCKETDYNE, INC.; QVC, INC.; RALPH LAUREN MEDIA, LLC; ROLEX SA; ROLEX WATCH USA INC.; SEA RAY BOATS, INC.; SEIKO EPSON CORP.; SIKORSKY AIRCRAFT CORP.; SUB-ZERO, INC.; THE TALBOTS, INC.; TEXTRON, INC.; TOMMY HILFIGER U.S.A., INC.; TOMMY HILFIGER LICENSING, LLC; UNITED TECHNOLOGIES CORP.; UTC FIRE & SECURITY CORPORATION; UTC POWER CORP.; UTC POWER, LLC; AND WOLF APPLIANCE, INC., and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the ‘627 Patent;

3. A judgment and order requiring Defendants BASSETT FURNITURE INDUSTRIES, INC.; BELL HELICOPTER TEXTRON INC.; THE BOEING COMPANY; BOSTON WHALER, INC; BROYHILL FURNITURE INDUSTRIES, INC.; BRUNSWICK

CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CABELA'S, INC.; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GENERAL DYNAMICS CORP.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HASBRO, INC.; HERMAN MILLER, INC.; HSN, INC.; HSN INTERACTIVE LLC; J. JILL GROUP, INC.; OTIS ELEVATOR CO.; PITNEY BOWES, INC.; POLARIS INDUSTRIES, INC.; POLO RALPH LAUREN CORPORATION; PRATT & WHITNEY POWER SYSTEMS, INC.; PRATT & WHITNEY ROCKETDYNE, INC.; QVC, INC.; RALPH LAUREN MEDIA, LLC; ROLEX SA; ROLEX WATCH USA INC.; SEA RAY BOATS, INC.; SEIKO EPSON CORP.; SIKORSKY AIRCRAFT CORP.; SUB-ZERO, INC.; THE TALBOTS, INC.; TEXTRON, INC.; TOMMY HILFIGER U.S.A., INC.; TOMMY HILFIGER LICENSING, LLC; UNITED TECHNOLOGIES CORP.; UTC FIRE & SECURITY CORPORATION; UTC POWER CORP.; UTC POWER, LLC; AND WOLF APPLIANCE, INC. to pay CWC its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '342 Patent as provided under 35 U.S.C. § 284;

4. A judgment in favor of CWC that Defendants BOSTON WHALER, INC; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HSN, INC.; HSN INTERACTIVE LLC; PITNEY BOWES, INC.; QVC, INC.; AND SEIKO EPSON

CORP. have infringed, directly, jointly, and/or indirectly, by way of inducing and/or contributing to the infringement of the '627 Patent, and that such infringement was willful;

5. A permanent injunction enjoining Defendants BOSTON WHALER, INC; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HSN, INC.; HSN INTERACTIVE LLC; PITNEY BOWES, INC.; QVC, INC.; AND SEIKO EPSON CORP. and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '342 Patent;

6. A judgment and order requiring Defendants BOSTON WHALER, INC; BRUNSWICK CORPORATION; BRUNSWICK INTERNATIONAL LIMITED; CARRIER CORPORATION; CRUTCHFIELD CORP.; CRUTCHFIELD NEW MEDIA, LLC; DACOR HOLDINGS, INC; DACOR, INC.; EBAY, INC.; EPSON AMERICA, INC.; GSI COMMERCE, INC.; HALLIBURTON COMPANY; HALLIBURTON ENERGY SERVICES, INC.; HSN, INC.; HSN INTERACTIVE LLC; PITNEY BOWES, INC.; QVC, INC.; AND SEIKO EPSON CORP. to pay CWC its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '627 Patent as provided under 35 U.S.C. § 284;

7. An award to CWC for enhanced damages as provided under 35 U.S.C. § 284;

8. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to CWC its reasonable attorneys' fees; and

9. Any and all other relief to which CWC may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Respectfully submitted,

CLEAR WITH COMPUTERS, LLC

Dated: February 27, 2009

By: */s/ Andrew Wesley Spangler*

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